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TERMS OF THE
Kentucky Gazette,
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Laws of the United States.



[BY AUTHORITY.]

AN ACT making a partial appropriation for the military service of the United States for the year one thousand eight hundred and twenty.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the following sums be, & are hereby appropriated to the objects herein specified, to wit:

For subsistence of the army of the United States, two hundred and twenty thousand dollars.

For the national armories, fifty-six thousand dollars.

For arrearages, on the settlement of outstanding claims, fifty thousand dollars.

Sec. 2. And be it further enacted, That the said sums be paid out of any money in the Treasury, not otherwise appropriated.

H. CLAY,
Speaker of the House of Representatives.
DANIEL D. TOMPKINS,
Vice President of the United States and
President of the Senate.
January 14, 1820.—Approved:
JAMES MONROE.

when the said land, or any part of it, was sold by the government of the United States: whereupon the said Commissioner of the General Land Office shall issue to the legal representative of the said Philip Barbour, deceased, a certificate of the amount so reported by the said register and receiver; which certificate shall be receivable in payment of any debt which may have accrued, or shall hereafter accrue, to the United States, on the sale of any of the public lands: Provided, however, That before the said Commissioner of the General Land Office shall issue the certificate, the said legal representative shall file in his office a written release, under his hand and seal, with all the solemnities necessary to make it valid and operative, whereby he shall release to the United States all his claim to the said fifteen hundred acres of land.

H. CLAY,
Speaker of the House of Representatives.
DANIEL D. TOMPKINS,
Vice President of the United States, and
President of the Senate.
January 14, 1820.—Approved:
JAMES MONROE.

AN ACT supplementary to an act, entitled "An act to regulate and fix the compensation of the Clerks in the different Offices," passed the twentieth of April, one thousand eight hundred and eighteen.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the authority given in the eighth section of the above recited act, to the Secretary of the Treasury, to employ nine additional clerks in the office of the second Comptroller of the Treasury, be, and the same is hereby, continued, until the thirty-first day of December, one thousand eight hundred and twenty, and no longer; and that the sum necessary to carry into effect the provisions of this act, be, and the same is hereby appropriated, and shall be paid out of any money in the Treasury, not otherwise appropriated.

H. CLAY,
Speaker of the House of Representatives.
DANIEL D. TOMPKINS,
Vice President of the United States and
President of the Senate.
January 14, 1820.—Approved:
JAMES MONROE.

FROM THE NATIONAL INTELLIGENCE.

DOCUMENTS,

TRANSMITTED TO BOTH HOUSES OF CONGRESS
WITH THE MESSAGE OF THE PRESIDENT, OF 7TH
DECEMBER, 1819.

[Contin d.]

Mr. Forsyth to Don Manuel Gonzales Salmon.

MADRID, JUNE 21.

Sir—The determination of his catholic majesty to delay the exchange of ratifications of the treaty signed on the 22d February, at Washington, by Mr. Adams and the Chevalier de Onis, as communicated by your excellency's note of the 19th inst., in reply to my notes of May 18th, and the 14th of this month, fills me with regret. As the subject of that treaty has been for years before the two governments both of whom have, no doubt, long since discussed and deliberately determined upon what they would respectively claim and yield, I took it for granted no motive for delay could exist. Your Excellency's note will it states to me the fact that a longer delay is contemplated, does not enlighten me as to the cause. The measure is, no doubt, important and interesting to his majesty's kingdom, but no new light can have broken in upon the subject since the instructions were given to the Chevalier de Onis, upon which the treaty is founded, on the part of Spain; no change of the circumstances of the parties to it, has occurred—no new causes of difficulty or complaint, are known to exist. Although the words of the treaty allow six months to elapse before the instrument is annulled, if the exchange of ratification is not previously made, I must represent to your excellency, that every hour's delay is at variance with the spirit of the instrument. The time stipulated was to guard against accidents, extended to the longest period which, under any circumstances, could be required to effect the exchange. Had the distance of our respective governments permitted, the time fixed would not have been extended beyond a single day. If the government of the United States had not gratuitously offered the exchange here, his majesty would have been compelled, ere this, to have transmitted the treaty ratified on the part of Spain, to America, or have lost the benefit of the convention. You will recollect that no place is fixed at which the exchange is to be made. It is to the confidence of the American government in the good disposition of Spain, that the king, your master, is indebted for the opportunity thus to delay acting upon the subject. The ill consequences which will ensue from this postponement, and the impression likely to be made by it, can be easily foreseen. Your excellency may correctly estimate the conjectures to which it will give birth in the United States, from what is passing here. You, perhaps, are yet to learn, that the delay of

the last month has given rise, at the seat of his majesty's government, among his own subjects, to the most monstrous and absurd suppositions. Among the subjects of Spain, those who best know the integrity of the king, and the purity of his councils, it is asserted, that an act required by the policy of this government, essential to the interests of this kingdom, and demanded by the honor of the king, will not be performed. Yes, sir; the king is calumniated in his very capital by a most unjust surmise, that there will be a refusal to do which the reputation of Spain requires; that which Spain dare not refuse to do. Your Excellency will not understand this as threatening his majesty's government with the consequences which might ensue from the resentment of the United States, if it were possible for Spain to act in this business with bad faith.—Threats are used by conscious weakness, not by conscious strength. I know too well the abundant resources, the expanding power, the youthful vigor of my country, to degrade her character by using language unworthy of it—if not by my respect for Spain, I should be prevented by the fear of the deserved resentment of my own country; I should not be easily forgiven for condoning to say how she would punish an act of perfidy. It is by her acts, and not by the railings of her ministers, that she will be known to those who violate the faith pledged to her. But there is this, which a just government will more cautiously avoid than even the well-founded resentment of a powerful nation—the degradation of conscious baseness. No wise king will dare to do an act which would deprive him of the respect of all nations, sully the reputation of his kingdom in the eyes of the civilized world, and deprive his people of the strongest incentive to virtuous exertions, under every dispensation of heaven—the confidence in the integrity of their government. If even, in Spain, unjust surmises and unfounded mistrusts are entertained, your excellency, recollecting the lately subsided irritations of long-continued disputes with the government of his majesty, will not be surprised, that, in the United States, the same cause should produce, not suspicions, but firm convictions of the intention of this government to disappoint the expectations reposed in its good faith. I know full well, that, in two months, the act of the exchange of ratifications will prove, that these harsh convictions have been hastily and incorrectly formed;—but the impression of them may remain, and the motive for the exchange may be misunderstood. I have used every effort to avert it, but in vain. If my apprehensions should not be realized, I shall heartily rejoice.

It only remains for me to say, in this last note that I shall address to your excellency on this subject, that, whenever his majesty directs you to exchange the ratification of the treaty of 22d February, 1819, I am prepared, at any period before the 22d of August, on the part of my government, to perform that ceremony.

I renew to your excellency, whom may God preserve, the full assurance of my perfect respect.

[Signed] JOHN FORSYTH.

Don Manuel Gonzales Salmon to Mr. Forsyth.

[TRANSLATION.]

Sir—I duly received the note you were pleased to address to me, dated the 21st of June last, in answer to that which I had the honor to write to you on the 19th of the same month, being my reply to your notes of the 8th of May and 4th of June, requesting the speedy ratification and exchange of the treaty, lately concluded at Washington, of the present year, between his majesty, the king, my master, and your government.

In my said reply, I confined myself to stating to you that his majesty, having taken that important subject into his most serious consideration, had found it indispensably necessary to examine the treaty with the utmost caution and reflection before he proceeded to ratify it. In your answer you express your surprise at the delay attending a transaction, which, having been already thoroughly discussed, could require no renewed examination of its final and definitive decisions, and the more so, as the circumstances which lead to it, had experienced no change, with either party. You proceed to develop, at length, the injurious effect that, in your opinion, must be produced by the delay of the Spanish government, in concluding this affair, and also of the disagreeable consequences that you foresee must result from that delay; and you conclude, by stating, that whenever his catholic majesty shall please to authorise me to exchange the ratifications of the treaty of 22d February, 1819, you are ready to receive that act on behalf of your government, at any time prior to the date of the 22d of August.

It would have been desirable if you had confined yourself, in your said note, to expressing your surprise and that of your government, at the delay; on the

part of Spain, in terminating, by her ratification, an affair, which, according to the intention of both, was to be considered as concluded, and to earnestly request the exchange of the same; by which the wishes of your government, and one of the principal objects of your arrival at this court, would be accomplished.

Thus, it is to be supposed, that you would have only conformed to the instructions which you will probably receive from your government; and therefore, other expressions and phrases you have used in your note, cannot fail to appear very extraordinary, which your ardent zeal for the interests of your nation, has, doubtless, prompted you to employ, but in which you have been carried farther than really could have been wished.

The expressions and phrases alluded to, which I refrain from otherwise specifying, are, to say the least, entirely superfluous, and, consequently, foreign to the subject in question, they have, therefore, surprized the more, as, in no possible case, can they be applicable to the Spanish government, or to its agents. Convinced of the rectitude and justice of its rights, and of those ever prescribed by the bounds of moderation, it never has, in its communications, permitted itself to go to such extremes as would justify the proceeding now adverted to.

There would be much to remark upon a style so unusual in diplomatic communications, and still less conformable to the sentiments of mutual friendship and harmony, which should exist between the two governments of Spain and the United States of America, as well as of those which, as its representative, you are in a situation to express; but I shall abstain from any particular detail or comment upon your expressions, and confine myself merely to declare to you as I have already done, the extreme surety produced by that part of the contents of your note.

I am, at the same time, authorized by the king, my master, to inform you, that, having deliberately weighed the important subject, which forms the principal object of your communication, he is of opinion, that a final decision cannot be taken thereupon, without previously entering into several explanations with the government of the United States, to some of which your government has given rise.

His majesty has, therefore, been pleased to charge, with his full confidence, a person possessing all the qualifications necessary for bringing this interesting trust to a happy conclusion, who will forthwith make known to the United States his majesty's intentions on this point, in order that all obstacles being removed on the one side and cleared up on the other, all the doubts which have arisen may be done away, and a full and satisfactory accomplishment given to the earnest desire which certainly has uniformly been to set the friendship and good understanding, subsisting between both governments, established on the most solid basis, and secured against future chances of interruption.

His catholic majesty persuades himself that the government of the United States, in accordance with these principles and sentiments, far from refusing to admit these new explanations, will cheerfully receive them, as a proof of the good faith and frankness of the conduct of Spain; and that they will accede to her views, by promoting also, on their part, the speedy conclusion of an affair productive of the mutual advantage of both powers.

I offer, &c. &c.

[Signed] MANUEL C. SALMON.

Madrid, 10th August, 1819.

Mr. Forsyth to Sen. Don Manuel Gonzales Salmon, acting Secretary of State, &c. &c.

Madrid, August 12th, 1819.

Sir: I received, this morning, your office of the 10th inst. Some of the expressions of the note which I had the honor to present to his majesty's government, on the 21st of June last appear to have given offence. As you have not specified the particular phrases or expressions which are considered censorable, I can only say that it was far either from my wish or intention to treat his majesty's government with disrespect, or to use terms calculated to interrupt the harmony and good understanding which ought to exist between it, and the United States. I came here instructed by the president, and animated by the warmest wishes to strengthen, not to weaken, the almost broken bands of amity by which the two nations are still united. I can but regret, that, in my zeal to promote this great object, I have used language capable of being misunderstood. You will consider that this regret does not spring from a conviction that the construction put upon my note is just. So far from admitting this, I must insist that there is nothing contained in it, which, if rightly interpreted, could be deemed objectionable; and cannot but indulge the belief, that the language has been held offensive not from its genuine and original import,

but from some fatality in its application. As to the remarks you have been pleased to make, that these unusual expressions were idle, (ociosos) not pertinent to the business in question, and not common to diplomatic communications, they are not sufficiently important to merit a distinct reply. The two first it is not the province of his majesty's government to reprove; to my own government I look for approbation or censure. There is no doubt, that the pertinacity of the matters referred to, will not escape its penetration. Should I be convicted of the essence of departing from the ordinary diplomatic style, I shall find a abundant consolation in the consciousness of having expressed just sentiments in simple terms. The course pursued by the government of his Catholic majesty, and intended to be persisted in, as indicated by your note, is much more likely to disturb the harmony of the two nations, than the intemperate zeal of the representatives or agents of either.

On the 22d of February, the convention was signed at Washington, by Mr. Adams and the chevalier de Onis. In April a copy of it was received in Spain, from the messenger sent by the Spanish minister from America. It is not necessary to remind you, that the satisfaction of this government in the termination of this important business, was marked by the distribution of honors in the gift of the crown, to persons very remotely connected with the transaction. What has produced the very surprising change in the opinions, then ascertained on this subject, is for you, sir, to explain, if you think proper, but is what I cannot imagine. On the 18th of May, immediately after my introduction to his majesty, the note of that day was delivered. It was therein stated that the treaty ratified by the United States, was in Madrid, and an immediate exchange of ratifications was asked that this important document might be sent to my government by a vessel of war, bound in a short time from Cadiz to America; to this no reply was given. Under the expectation entertained from several conversations with the marquis of Cassa Yrujo, the substance of which, has been verbally stated to you, the vessel was detained in the port of Cadiz, until the 2d of July. In this interval, the only communication received on this important subject, was your note of the 19th June, the purport of which, was, that his majesty found it necessary to proceed with the deliberation and slowness demanded by its importance, to consider the subject of the treaty. On the 12th day of August, his majesty's government gives notice, by your note of the 10th, of its determination to ratify? no, sir, to send a person to Washington, possessing the confidence of the king, and having the necessary qualifications to terminate happily this affair. Can it have escaped the observation of this government, that this affair must terminate in ten days? While a failure to resolve finishes the business in a few days, this government thinks that a definite resolution cannot be taken without first entering into various explanations with the U. S. States, to some of which the government of the said states has given occasion. What circumstance in the history of this affair sustains the assurances that his majesty finds himself animated by the most vehement desires to preserve a good understanding with, and the friendship of the United States? Is it the disappointment of the rational anticipation, indulged in America, that the treaty ratified by Spain would be carried there in the ship of war Hornet? The determination to ratify? no, sir, to send a person to Washington, possessing the confidence of the king, and having the necessary qualifications to terminate happily this affair. Can it have escaped the observation of this government, that this affair must terminate in ten days?

While you begin by endeavoring to justify the meaning of the expressions contained in yours of the 21st June, which, however, appear not the less extraordinary and surprising, as I have already intimated to you. But, on this head, I refer to what I have had the honor to express to you in my said note, by which the question will be considered as put at rest, and that on no account whatever, will it be agreeable to revive it.

I therefore proceed once to reply to the leading object of your note; and I flatter myself that my answer will convince you, on the one hand, that the government of his Catholic majesty could not observe a course different from that which it has taken on this occasion; and on the other, that the determination of his majesty to adopt that course, is founded upon his earnest wish, as I have already stated to you, to establish the amicable and friendly relation of both our governments upon a secure and permanent basis.

It is a fact of general notoriety, and must therefore be well known to you, that as soon as the treaty concluded between his Catholic majesty and the government of the United States was received here, and its stipulations became known, this important subject was taken into the most serious consideration by the king, my master, as well as to investigate the consequences to which it might give rise in relation to your government. From that time, this important business has almost exclusively occupied the attention of the Spanish cabinet; and it was not until after it had received the most mature deliberation, that his Catholic majesty resolved that no final decision could be taken upon it, without previously entering into various explanations and eclaircissements with the government of the United States of America.

Any other determination which might have been taken previous to this step, would have been, to say the least precipitate, and exposed to the inconveniences which it is wished to avoid; and especially not to leave the relations of both nations liable to interpretations, but to place them on solid and sincere and perfect friendship & harmony which it is desired to establish between the two governments.

The explanations and eclaircissements desired by his majesty before a definite resolution could be taken by him on the affair in question, are not of a nature to be obtained by the means of a messenger despatched to the United States, and the answer to which could arrive here before the 22d of the present month; and still less by reason of the retreat of the Minister plenipotentiary of his Catholic majesty, who having made the treaty, and being thoroughly possessed of the whole course of the negotiations, was best qualified to demand the explanations desired. Besides, it having been the uniform wish of his Catholic majesty to proceed with all possible care and circumspection in an affair of such moment, and having thus investigated it, as I have before stated to you, this circumstance would not have given occasion for the despatch of the messenger as intimated by you.

Nor could the explanations alluded to be entered into here, under existing circumstances, on account of the want of time in the short space proposed by you. His Majesty has therefore resolved to appoint a confidential person to proceed to the government of the United States for the purpose of obtaining them; thereby giving a new proof of his deference for the American government, by his desire to be thoroughly informed of every thing which has passed in relation to the treaty.

It is true that when this determination in which the king, my master, has been pleased to take in relation to this affair, will come to the knowledge of your government, the epocha of the 22d of August will have elapsed; but this circum-

stance need prove no obstacle to the obtaining the requisite explanations and clearances on the treaty, as it is to be supposed that the American government would readily have afforded them at an earlier period, if the circumstances before pointed out had not prevented their being required immediately.

The communication which I had the honor to make to you on the 10th inst. and which could not have been made sooner, has been realized in due time; and certainly the government of the United States cannot fail to receive it favorably, if their desires, in conformity with those of his Catholic majesty, are directed to the auspicious object of seeing the differences which existed between both governments at once terminated, and their amicable relations consolidated upon a firm and permanent basis.

This being the sole object proposed by his Catholic majesty, he has judged, that, in order to attain it, there was no mode more fit and suitable, than to investigate and explain before he gave his sanction to an agreement, which is to serve as a basis of the future relations between the two powers, whatever doubts and elucidations it might have given rise to. He has therefore determined to despatch to the seat of the American government a person charged with stating to it frankly and candidly the wishes of the king my master; which he flatters himself will be fully accomplished, if he is met by similar dispositions, which it appears must be the case, if your government cherish the same sentiments by which his majesty is animated.

In consequence of what I have herein stated, I trust that you will agree with me that the government of the king, my master has proceeded in this affair with all prudence and circumspection; that it has not been possible for it to take a decision upon it until it had previously instituted a full investigation, without being exposed to the hazards of a precipitate determination, and, finally, that the resolution of his Catholic majesty, far from being liable to an unfavorable interpretation, is the most conducive to promote the principle connected with this affair, and the most likely to regulate it in a satisfactory manner, while it at the same time reconciles the interests of both nations.

In this persuasion, I cannot but flatter myself that your communication to your government will accord with this sentiment, and that they will tend to remove any doubtful interpretation that it might give to the determination adopted by his Catholic majesty, and which I have already had the honor to communicate to you.

I avail myself with pleasure of this renewed occasion to offer to you the assurances of my high and particular consideration. God preserve you many years.

MANUEL GONZALES SALMON.
Palace, 19th Aug. 1819.

FROM FRANCE.

PARIS, NOV. 9.

The Moniteur announces, that his majesty had pardoned all the persons banished from France, who have not been tried and condemned *par contumace*, excepting those who voted for the death of Louis XVI.

NOTE.—We believe that those only who were included in the first section of the law of July 1815, eighteen in number, have been tried and condemned, and consequently, that the thirty eight included in the second article of that law are now pardoned, and are permitted to return to France. The regicides are banished by another law.

The following are some minutes of the eighteen mentioned above.

1. Marshal Ney. Shot at Paris December, 7, 1815.

2. General Labevoys. Executed at Paris, August 1816.

3. Lieut. General Henry Lallemand. Tried and out-lawed. Recently in America.

4. Col. Charles Lallemand. Tried and out-lawed. Married in Philadelphia in 1817. In America.

5. Lieut. General Drouet, (D'Erlon) He followed Buonaparte to Elba. Was tried and acquitted. Is said to have embraced a religious life.

6. Lieut. Gen. Lefebre Desnoettes. Has been tried and out-lawed. Was recently in America.

7. Lieut. M. S. Braver. Tried and condemned to death. Was in South America in 1818.

8. Lieut. Gen. J. L. Gillery. Has been tried and condemned.

9. Lieut. Gen. Monton Duvernet. Tried and executed at Lyons. July, 1816.

10. Lieut. Gen. Clause. Tried and out-lawed. Was recently in America.

11. Lieut. Gen. Larbord. Tried and out-lawed.

12. Lieutenant General Debelle. Was tried in 1817, and sentenced to death, but the sentence was afterwards commuted for ten years imprisonment.

13. Lieutenant General Bertrand Accompanied Buonaparte to Elba, and is now with him in St. Helena. Tried and sentenced to death, *par contumace*.

14. Lieutenant General Cambrone He accompanied Buonaparte to Elba, and from Elba. Was tried and acquitted.

15. Lieutenant General Lavallette. Condemned to death but escaped from prison disguised in his wife's clothes. Has been in England; he is supposed to be residing in Bavaria.

16. Marshal Emanuel Grouchy. Has been in America. Has not been tried and of course will be restored to his rank, &c.

Many of those included in the second

section of the law have already been pardoned, and have returned to France; among them Marshal Soult, Gen Vandamme, &c.

Of the regicides are Cambaceres, Fouche, Carnot, Sieyes, Merlin, O'Donnell, Barras Fauchet, David, the Painter, &c.

Boston Centinel.

MELANGHOLY SHIPWRECK.

NEW YORK, JAN. 22.

Last evening Mr. Jessup, son of the wreck master at Southampton, Long Island, arrived in town with letters from his father, announcing the loss of the ship *Helen*, Capt. Huguet.

The *Helen* was from Bordeaux bound to this port, with a cargo of brandy, wine, dry goods, prunes, fruit preserved in brandy, books and stationery. She had also six passengers, the whole of whom, together with the captain, Steward, and cabin boy, were lost.

From Mr. Jessup we have received the following particulars. On the morning of the 17th instant, at dawn of day, a large ship was discovered on the beach the wind blowing a tremendous gale, and every wave making a complete breach, over the vessel.

The tide was unusually high, and the surf rolled upon the beach much farther than the inhabitants had ever before seen it.

The inhabitants hailed the persons on deck, and advised them to go below. Several followed the advice. The Steward was thrown, by the violence of the waves, over the bow, and was drowned. Shortly after the larboard quarter was torn away, and the mizen mast went by the board. As soon as the tide fell, hooks and ladders were placed on board, by which the mate and eight seamen, who had remained in the forecastle, and who were still living, were taken out. All who were in the cabin, were either drowned or frozen to death. These gentlemen were found dead in the fore rigging completely covered with ice. The names of the persons lost, as far as we can ascertain, from our informant and from a letter received by Mr. Joseph Rouchaud, captain *Huguet* major *St. ret.* American consul at Rochefort, Mr. Kronemache, Mitchell, Porriinger, Mr. Caspelli, Mr. Equesto, Mr. Colleve, and the steward and cabin boy of the ship. The bodies of Mr. Kronemache, two Spanish gentlemen and the steward, were found soon after the ship went to pieces. On the morning of the 18th, as Mr. Jessup was leaving home, the body of a young man was also found, and the five were to be interred on Wednesday afternoon.

Two of the passengers were Spanish gentlemen of large fortunes, and were on a tour of pleasure to this country. A considerable part of brandy and wine was scattered along the beach for nearly a mile, and was saved. About fifty letters floated ashore. They were brought to town by Mr. Jessup, and are lodged in the Post office. The cargo was consigned to Joseph Bouchard, Larue, Palmer & Co. B. D'Esby, Felix Casumine, S. V. Bouland, B. Souillard, H. Chalard, P. M. Kafourelle, J. B. Cazeaux, Charles Guerin, Mr. Kronemache, Peter Harmony, T. & C. Bolton, Peter Perdriaux, L. C. Chatpenter, Aug. Bosquet & Co.—Gravellen, and to order.

ANOTHER WRECK.

On Tuesday night last the schooner *Union*, Captain Blanchard, bound from Halifax to Boston, was wrecked on the Eastern point of Cape Ann. Of her crew and passengers (17 in number) 9 were drowned.

THE QUESTION OF BOUNDARY SETTLED!

The following is the convention between the commissioners of this State and Tennessee, acting under the authority of the legislatures of their respective states, by which, we trust, the unpleasant controversy hitherto existing on the subject of boundary is amicably and permanently adjusted.

The States of Kentucky and Tennessee, desirous of terminating the controversy which has so long subsisted between said states in relation to their common boundary, and of restoring the most perfect good understanding and harmony between them, have, for that purpose, appointed their respective commissioners, that is to say: The state of Kentucky on her part has appointed John J. Crittenden and Robert Trimble; and the state of Tennessee on her part has appointed Felix Grundy and William L. Brown, who after a reciprocal communication of their respective powers, have agreed upon the following articles and stipulations:

ARTICLE I. The line of boundary and separation between the states of Kentucky and Tennessee, shall be as follows, to wit: The line run by the Virginia Commissioners, in the years seventeen hundred and seventy-nine, and seventeen hundred and eighty, commonly called Walker's line as the same is reported, understood, and acted upon by the said states, their respective officers and citizens from the south eastern corner of Kentucky to the Tennessee river; thence with and up said river to the point where the line of Alexander and Munsell, run by them in the last year under the authority of an act of the legislature of Kentucky, entitled "an act to run the boundary line between this state and the state of Tennessee, west of the Tennessee river, approved February 8th, 1819," would cross said river; and thence with the said line of Alexander and Munsell to the termination thereof on the Mississippi river, below New Madrid.

ART. II. It is agreed and understood, that from the point where Walker's line strikes the Tennessee river, to the point where the line of Alexander and Munsell would cross the same, the said Tennessee river shall be the common boundary of said states, and subject to their common use and concurrent jurisdiction. Any island or islands, in that part of the river Tennessee, which forms the common boundary between the two states, shall be within the exclusive jurisdiction of Kentucky, but any appropriations thereof by individuals heretofore made under the laws of North Carolina or Tennessee, shall be valid.

ART. III. Whenever the governor of either state shall deem it expedient to have the boundary line between the two states, which is east of the Tennessee river, or any part thereof, run and plainly marked, he shall cause a notification thereof to be communicated to the governor of the other state, & thereupon with all convenient despatch two surveyors shall be appointed for that purpose, one by the governor of each state; and the surveyors so appointed shall have power to employ a competent number of chain carriers and assistants, and they shall ascertain, survey and mark said line plainly and durably, having due respect to the provisions of the first article thereof; and it shall be the duty of said surveyors to make out and sign duplicate plats and reports of their surveys and proceedings, to be communicated by each surveyor to the governor of his respective state, to be deposited and preserved in the office of the secretary of state, for a testimony and memorial of the boundary between said states.—And all cost and expense that may be incurred under the provisions of this article, and in surveying and marking said boundary line, shall be paid by said states, jointly and equally.

ART. IV. The claims to lands, lying west of the Tennessee river and north of Alexander's and Munsell's line derived from North Carolina or Tennessee, east of the Tennessee river, and parallel of the latitude 36° 30' north, shall be the property of, and subject to the disposition of the state of Kentucky, which state may make all laws necessary and proper for disposing of, and granting said lands or any part thereof, and may by herself or officers, do any acts necessary and proper for carrying the foregoing provisions of this article into effect; and any grants or grants she may make thereto, or of any part thereof, shall be received in evidence in all the courts of law and equity in the state of Tennessee, and be available to the party deriving title under the same; and the land referred to in this article shall not be subject to taxation by the state of Tennessee for five years, except so far as the same may in the mean time be appropriated by individual.

ART. V. All lands now vacant and unappropriated by any person or persons claiming to hold under the states of North Carolina or Tennessee, east of the Tennessee river, and parallel of the latitude 36° 30' north, shall be the property of, and subject to the disposition of the state of Kentucky, which state may make all laws necessary and proper for disposing of, and granting said lands or any part thereof, and may by herself or officers, do any acts necessary and proper for carrying the foregoing provisions of this article into effect; and any grants or grants she may make thereto, or of any part thereof, shall be received in evidence in all the courts of law and equity in the state of Tennessee, and be available to the party deriving title under the same; and the land referred to in this article shall not be subject to taxation by the state of Tennessee for five years, except so far as the same may in the mean time be appropriated by individual.

ART. VI. Claims to land east of the Tennessee river, between Walker's line and the latitude of 36° 30' north, derived from the state of Virginia, in consideration of military services, shall not be prejudiced in any respect by the establishment of Walker's line; but such claims shall be considered as rightfully entered or granted, and the claimants may enter upon said lands or assert their rights in courts of justice without prejudice by lapse of time, or from any statute of limitations for any period prior to the settlement of the boundary between the two states; saving, however, to the holders and occupants of conflicting claims, if any there be, the right of shewing such entries or grants to be invalid and of no effect, or that they have paramount or superior titles to the land covered by such Virginia claims.

ART. VII. All private rights and interests of lands between Walker's line from the Cumberland river near the mouth of Obey's river to the south eastern corner of Kentucky, at the point where the boundary line between Virginia and Kentucky intersects Walker's line on the Cumberland mountain, and the parallel of 36° 30' north latitude, herefore derived from Virginia, North Carolina, Kentucky or Tennessee, shall be considered as rightfully emanating from either of those states; and the states of Kentucky and Tennessee, reserve to themselves respectively, the power of carrying into grant claims not yet perfected; and in case of conflicting claims (if any such there be) the validity of each claim shall be tested by the laws of the state from which it emanated, and the contest shall be decided as if each state respectively had possessed the jurisdiction and soil, and full power and right to authorise the location, survey, or grant, according to her own rules and regulations.

ART. VIII. It is agreed that the foregoing articles shall receive the most liberal construction for effecting the objects contemplated, and should any disagreement arise as to the interpretation or in the execution thereof, two citizens of the United States, but residents neither of Kentucky nor Tennessee, shall be selected, one by the Executive of each state, with power to choose an umpire in case of disagreement, whose decision shall be final on all points to them submitted.

ART. IX. Should any further legislative acts be deemed requisite to effectuate the foregoing articles and stipulations, the faith of the two states is hereby pledged, that they will unite in making such provisions and respectively pass such laws as may be necessary to carry the same into full and complete effect.

ART. X. The foregoing articles and stipulations, if ratified by the legislature of Kentucky during their present session, shall forever be obligatory and binding on both states, and take effect from this day.

IN FAITH whereof, we, the respective commissioners, have signed these articles, and have hereunto affixed our Seals. Done in duplicate, at Frankfort, the second day of February, one thousand eight hundred and twenty.

A Copy.

JOHN J. CRITTENDEN,
ROBERT TRIMBLE,
FELIX GRUNDY,
WILLIAM L. BROWN.

CONGRESS.

IN SENATE.—JANUARY 20.

The senate resumed the consideration of the report of the committee on public lands, adverse to the expediency of establishing an additional land office in the state of Indiana, and concurred therein.

The president laid before the senate the annual statement of the secretary of war of the disbursement of the contingent appropriation of 1819 for the military service.

Several bills received readings in course, and sundry petitions were read and referred. The other proceedings of the day have been before noticed.

JANUARY 19.

Agreeably to notice given, Mr. Johnson, of Lou. obtained leave, and introduced a bill supplementary to the several acts for the adjustment of land claims in the state of Louisiana and territory of Missouri; which was passed to a second reading.

On motion of Mr. Eaton, a resolution was adopted, changing the hour of meeting from 12 to 11 o'clock in the morning.

The senate then resumed the consideration of the Missouri bill, which occupied the remainder of the day.

JANUARY 20.

One or two bills were read a second time, and others acted on in part.

The bill to establish a district court in the state of Alabama, was ordered to be engrossed for a third reading; and then

The senate again took up the Missouri bill, on which the debate continued, as heretofore stated, until the adjournment.

JANUARY 21.

The president communicated to the senate the report of the postmaster general, of the names and compensation of the clerks employed in that department; also, a list of the contracts made by that department, during the last year.

The bill introduced by Mr. Thomas, to prohibit the extension of slavery in the territories of the United States, north and west of the proposed state of Missouri, was referred to a select committee, consisting of Messrs. Thomas, Burill, Johnson, of Ky. Palmer, and Pease.

The engrossed bill to establish a district court in the state of Alabama, was taken up, when the blanks therein were so filled as to provide that the salary of the Judge be 2000 dollars, that of the U. S. Attorney 400 dollars, and that of the Marshal 250 dollars per annum; and, thus amended, the bill was passed, and sent to the other house for concurrence.

The senate resumed the consideration of the bill to continue the act to provide for reports of the decisions of the supreme court, (the blank in which had been previously filled so as to continue the act for five years) and the bill was ordered to be engrossed for a third reading.

The senate then again proceeded to consider the resolutions (introduced by Mr. Dickerson) so to amend the constitution as to provide an uniform mode of electing electors of president and vice president in Congress, and on the question to engross the resolution for a third reading, it was decided in the affirmative—ays 27, nos 13.

The Senate resumed the consideration of the Missouri bill, as already stated; after which

They adjourned to Monday.

JANUARY 24.

Mr. Rich rose, and observed, that notwithstanding the conclusions which had been formed and reported by the committee on revolutionary pensions on the subject of the enquiry referred to them on the 15th of December, relative to the pension law of March 18, 1818, he yet hoped that further enquiry might produce a different result, and that some modification might yet be made of that act which would adapt its operation to the views of its framers, &c.

He therefore moved a resolution, that the committee of the whole house, to whom had been committed the report of the committee on revolutionary pensions, made on the 4th inst. be discharged from the further consideration thereof, and that it be referred to the committee of ways and means; which resolution was agreed to.

Mr. Cocke submitted the following resolution for consideration.

Resolved, That the secretary of war be directed to report to this house what sums of money have been actually paid to Col. James Johnson, in virtue of articles of agreement entered into on the 2d day of December, 1818, and also report what sum is now claimed by him in virtue of said articles of agreement; specifying particularly the several items; and that he also report whether public notice was given when proposals would be received for a contract to furnish transportation to the troops ordered up the Missouri.

Mr. Smith of Maryland moved to lay the resolution on the table, as there was an arbitration pending on the subject of it which it might not be proper for the house to interfere with by any steps on its part, at present.

Mr. Cocke opposed the motion, and advocated his resolution at some length, on the ground of the unsatisfactory nature of the Report made recently on the subject of the war department in reply to an enquiry from this House.

The motion to lay the resolution on the table was lost, and the resolution was agreed to without a division.

AMENDMENT OF THE CONSTITUTION.

Mr. Cobb of Georgia, laid the following resolution on the table:

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, two thirds of both houses concurring, That the following article be proposed to the legislatures of the several states as an amendment to the constitution of the U. States; which, when ratified by three fourths of the

Kentucky Gazette.

THREE DOLLARS PER ANNUM—IN ADVANCE.

LEXINGTON::FRIDAY, FEBRUARY 11.

Through the medium of the "Frankfort Argus," received last evening, we learn that the house of representatives have passed a Hermaphrodite bill, which neither amounts to a property law nor a replevin law. We apprehend, or fear, there has been a compromise with cold-hearted trimmers. It is hoped the senate will maintain their dignity, and imprison the malcontents until they get back their reason.

Gen. JOHN ADAIR is a candidate for the office of Governor at the next general election.

Col. JAMES JOHNSON is a candidate for the office of Lieutenant Governor at the next general election. His valuable and faithful services are too well known to the community to require detail. Known merit will be rewarded.

WILLIAM T. BARRY, ESQ.

It is not necessary to say of this gentleman, that he is a worthy member of the community. He received his existence, and was reared to manhood, in the neighborhood of this town. The scientific and professional education he possesses, was acquired in the west. His profound knowledge of mankind has been obtained by an easy, dignified and unaffected intercourse with his fellow men. His notions of ELEVATED CHARACTER, were not derived through the medium of inherited wealth. The sprang from a nobler source. He knew, and still knows, that however obscure the earlier part of man's life may be, the industrious pursuit of knowledge and the strict observance of an honorable and virtuous course of conduct, are always certain of success. In adopting such a plan of life, Mr. BARRY has not been disappointed. He has been alternately a member of both branches of the national legislature—was afterwards carried to the judicial bench—and is now laboring in the senate of Kentucky. These remarks have been occasioned by the receipt of the following letter, from a highly respectable and very intelligent member of the house of representative, who voted against the 60 days' suspension law. We also copy from a neighboring print, another letter of similar import.

Extract to the Editors, dated

FRANKFORT, FEB. 3.

The bill to repeal the charters of the Independent banks has passed the house of representatives, 52 to 27. I have heretofore entertained the opinion that it would be rejected in the senate: but in a conversation with one of the members of that body, I received a different impression; and am now prepared to believe the repeal will take place.

The property law has failed in the lower house by four votes. The friends of that measure have not yet despaired of ultimately succeeding in their efforts to relieve a distressed community. The senate has taken up the subject; and on this day Mr. BARRY, the senator from Fayette, advocated the bill in a speech of more than three hours length, and in an able, elegant and masterly manner PATRICK HENRY, in the day of his greatness—when he was contending for the liberties of mankind—could not have greatly surpassed the specimen of vivid and splendid oratory we have just witnessed. It has been my good fortune to have had an opportunity of hearing the first orators which America has yielded: and I freely and frankly declare that I never before so completely chanted to my seat by the magic cord of eloquence—nor so involuntarily drawn into all the feelings of the Speaker. His heart appeared to melt with charity and benevolence, when he touched on the embarrassed situation of the country. His powers were displayed in a style which can never be forgotten by his auditors.

During the whole of his speech his personal aspect constituted a mirror, which exhibited all the gentleness and amiableness of human nature. The attention of the Senate was called to the benevolent character of the meek and humble SAVIOUR of mankind. He was not seen figuring in counting-rooms, banking-houses, and palaces; but he was found in the lowly cottage of the distressed—healing the wounds of the afflicted. Mr. Barry suggested, that it was the poor of this country who stood in need of legislative aid; and, imitating the divine example he had just alluded to, he was willing to contribute his mite for their relief, and raise them up from ruin and wretchedness. I cannot pretend to offer you a full view of his arguments. Suffice it to say, he has justly acquired to himself, a distinction which but few men enjoy.

From the Paris Citizen.

TO THE EDITOR.

Frankfort, Feb. 4.

DEAR SIR,

The property law as it is generally called, was finally rejected in our house some days ago. Since that time the senate have had under consideration a similar bill, which originated in that house. The advocates for the bill were Messrs. Barry, Bledsoe, and Owings; those who opposed it were Messrs. Roper, Crutcher, and some others. The debates up-

on this subject were seldom ever equalled. They were full of fire, eloquence and feeling & darkly prophetic of the evils that awaited the people, if the bill should not pass. Barry not only painted the subject in beautiful and vivid colours, but placed it in its most bold, and lofty attitudes, and when he came to that part of his argument in which he said if rigid law had been dealt out to mankind, the Saviour of the world never would have appeared to plead for mercy and pardon. I was like Agrippa before St. Paul, almost persuaded to become a Christian. This speech was replete with noble and generous sentiments. The law he contended ought to be dealt out in mercy, and that it was introduced in civil society with a view to ameliorate, and lessen the sufferings of humanity. The senate rejected the bill by a majority of two votes at its third reading, and a replevy is now spoken of. What will be ultimately done is difficult to tell. Some law I think ought to be passed to protect the people from the banks. But I cannot think of voting for the creditor to receive either paper or property. Both projects are alike in direct violation of the constitution; besides many mischievous consequences would result by fostering a depreciating paper currency. A bill was passed on taxing the Branch banks of the United States \$15,000 conditionally: If they will pay that sum into the Treasury they are exempted from the conditions of law, otherwise they are not authorized to receive a greater interest than one per cent upon any transaction of any kind whatsoever and all transactions of every nature are made null and void without they pay the above tax. The federal Judiciary will in all probability declare this law unconstitutional, but it will at least be another expression of public will upon that subject.

Extract to the Editors, dated

FRANKFORT, FEBRUARY 4.

Mr. Underwood has introduced a resolution to remove the seat of government to Harrodsburg. The Argus has assailed him in a quibbling manner by indirectly contending that the measure must be done by law, although the editors know, that resolutions are often the foundation of laws, and sometimes precede the appointment of committees to frame them. In this measure I have no personal interest: but I feel some as a citizen, who wishes to see the ship of state sail prosperously on the political ocean; and that ship cannot sail on the arm of the ocean on which it is now floating. This town has gotten upwards of half a million of dollars out of the Kentucky bank, & has put it in bridges, brick and mortar; which I am satisfied will never all be paid. Indeed, I consider the money of the state which is vested in this bank, as totally lost; and it would be better now to be in the hands of the people of the Green River country. The people here, have ruled that institution; and, if they have abused the favor of the state, shall be punished for their misdemeanors and their follies. Therefore, let the government go to a more healthful clime. Any change would be for the better; and any air more pure than what floats here. It is besides, an imposition on the people west of this place to keep the government here; which should be seated near the centre of the state as possible, to put the people as nearly as possible on a level. The little Valley where it now is, is a miserable one; uncomfortable; not supplied with good water; and the price of boarding so enormous, that the people must more than double the wages of members of the legislature, or send them to some other place to assemble; for otherwise none but rich men can afford to go to the legislature; and the interests of the poor must be sacrificed, if they are not represented there. A further reason with me, to vote for the measure, did I continue to be a member of the House, would be that even the boys here are constantly seeking for office; looking to office as their means of support, instead of depending on their own industry. I like not such turbid and putrid pools as courts always create; or any state of society which tends to make courtiers of those who ought to be men. I should rather see a change for the better. A removal of the seat of government would no doubt injure some good men: but the interests of the state, should not be sacrificed to those of a petty village, which never should have been established.

Extract to the Editors, dated

FRANKFORT, FEBRUARY 5.

A property bill which originated in the senate, was rejected by that body, yesterday.

An act concerning constables has passed. It provides among other things, that the counties be laid off into districts; the town to form one; a constable to be appointed in each, and that the trial be had in the district where the defendant lives; but does not confine a constable to his district.

The bill reported by Mr. Daniel some time since, by which the United States Branch Banks are outlawed, passed the house of representatives yesterday, 59 to 22.

A bill to alter the mode of taking lists of taxable property to the old mode, has passed the house of representatives.

An act concerning public roads has passed. One provision is, that all white males over 15 years old, be compelled to work on roads.

Extract to the Editors, dated

FRANKFORT, FEBRUARY 8.

The senate have this day passed a bill appropriating \$5000 for the Medical College, at Lexington; by a vote of 21

to 12. Although from the vote it will appear that there was opposition, it was highly gratifying to remark, that the liberal course observed. The bill was reported, the rules dispensed with, and it passed without delay. The feelings manifested in favor of this institution, by the senate, are such as to enliven the hopes of its friends, and to promise in future a liberal patronage. The peculiar character of the times forbids a larger appropriation at present; indeed it is believed that the opposition to the measure, on the part of those who voted against the bill, was prompted more from the consideration of the times, than from feelings of hostility. All acknowledge the importance and utility of the institution, and look forward with pleasure to its advancement. They see in it all that can fill the wishes and gratify the pride of the state. The bill repealing the Independent banks passed the senate yesterday, by a vote of 18 to 15, very unexpectedly, to the friends of the Independent banks. The senator from Nelson, who was in favor of this repeal, was absent, and it was confidently believed the bill would be rejected: but two others, calculated on, as being opposed to it, voted for it. I fear this measure will have a bad tendency, and will add much to the embarrassments already felt; in this act of repeal of charters that had not been violated, is to be seen a spirit of disorganization, and want of good faith, that will tend to destroy confidence at home, and will certainly detract from our character abroad.

The property law is again revived in the house of representatives, and is now under discussion—I fear it will fail. Its friends are struggling nobly, like the distressed, but bold mariner, who in the midst of a storm, expects a ship wreck. They will hold on to the last. If overwhelmed by the opposition, the people will know with whom the responsibility rests. It is uncertain when the legislature will adjourn.

Extract to the Editors, dated

FRANKFORT, FEBRUARY 8.

The election of Trustees for the Transylvania University, took place yesterday. Messrs. H. Clay, R. Wickliffe, W. T. Barry, R. Trimble, J. Brown, J. Pope, J. Morrison, S. H. Woodson, E. Bullock, J. W. Hunt, Ch. Humphreys, Thos. Bodley, and J. C. Breckinridge, were elected.

The act repealing the Independent banks in this commonwealth, has passed both houses. The banks may do business, as heretofore, till the first of May; and have until the first of January 1823, to close their concerns.

POWER TO REPEAL.

Much has been said, within a few days, against the power of the Legislature to repeal the charters of the Independent Banks. Complaints were expected to be made by the unqualified friends of evil and corruption which was unfortunately issued into the world by the ill-fated legislature of 1817-18. We conceive that chartered privileges are always dangerous. If they are granted, the high and indestructible attributes of sovereignty which are inseparable from the people, ensures the right to withdraw them whenever that people deem it necessary for the common good of the whole. Has the Legislature now in session a right to contract away our liberties—and the succeeding one deprived of the power of restoring them? We presume not. The repealing act that has just taken place may be mentioned as a novel one—and may be even adverted to as a solitary instance in the history of the nation. Yet such reasoning has no weight, when compared with the high consideration, that a contrary doctrine to that which has been asserted by the legislature in the repeal, would vitally stab the liberties of the people—and deprive them of the great blessings conferred upon them by the God of Nature.

We make the following extract from the speech of Mr. T. P. Moore (of Mercer) delivered in the house of representatives when the repealing bill was pending in that body.

The first view which I shall take of that bill is in relation to its constitutionality. It is contended by many, that the charters of the Independent banks are contracts between the state and the several persons composing those corporations, and that a repeal of their charters would be a violation of such contract, and would impair its obligation, contrary to the constitution of our country. There are, Mr. Speaker, two kinds of corporations; one is the grant of power to do certain things, for which compensation is allowed by the charter; the other is a grant of certain privileges to be used for the public good. The former is a contract the latter is not.—Of the former kind, are corporations instituted for the building of bridges, the making of turnpikes, and digging of canals. In those cases the contract consists in this:—The corporation agrees to expend their money in building a bridge, making a turnpike, or digging a canal, and are allowed by the state certain tolls as a compensation. The corporation agrees to build their bridge, and the state agrees that in consideration thereof, they shall be permitted to levy certain tolls. After they have spent their money and converted it into a bridge, it is not within the constitutional power of the legislature to say they shall not receive the tolls which were the moving consideration for the expenditure of their money. A repeal of their charter in this instance would impair the contract and destroy the property of individuals who had in good faith complied with their agreement with the state. In those cases and in all others in which a charter of incorporation has the nature of a contract, the power to receive tolls or other benefits, in consideration of

services performed, is not a natural right, but a mere creature of the law, or the result of the contract between the state and individuals. Any man may build a bridge, make a turnpike, dig a canal, on his own land or over his own water; but he cannot exact tolls unless permitted by law. The expense of those undertakings is so great that individuals will not incur it without compensation.

To encourage such enterprises, the state may contract with individuals, that if they will incur the necessary expense in making these improvements, they shall receive compensation in tolls.—

It is a fair contract, and the state cannot rightfully dissolve it. Nor does it make any difference whether the right be given to a corporation by a charter, (so called) or to an individual by law. A charter adds nothing to the sacredness of the contract, but it is just as inviolable in the one case as in the other. The repeal of the charter or the law would rightly dissolve it. Nor does it make any difference whether the right be given to a corporation by a charter, (so called) or to an individual by law. A charter adds nothing to the sacredness of the contract, but it is just as inviolable in the one case as in the other. The repeal of the charter or the law would rightly dissolve it. Nor does it make any difference whether the right be given to a corporation by a charter, (so called) or to an individual by law. A charter adds nothing to the sacredness of the contract, but it is just as inviolable in the one case as in the other. The repeal of the charter or the law would rightly dissolve it.

But banking, Mr. Speaker, rests on grounds essentially different. It is a natural right, originally possessed by every member of the community before it was taken away by law. It was found by the experience of the state, that its general exercise was injurious to the interests of the community, and the right was taken away by law. You never heard of a law to prevent men from building toll bridges; but our statute book exhibits several for the suppression of banking. Banking, therefore, is a natural right, originally possessed by every citizen, which the legislature, for the common good, have taken away. What, then, is the effect of a bank charter or a law to authorise banking? It merely restores to a corporation or an individual, a right which they originally possessed, in common with the whole community. It restores to them the right of using their money in a particular business, which had before been prohibited them by law. With respect to them, it is a repeal of the laws against banking, because the legislature believes that the right may be exercised by them with benefit to the community. With regard to the exercise of the right, they are placed on precisely the same footing as if the laws prohibiting banking had never passed: for the nature of the right is in no way changed by the immunities conferred on its exercise by law. These corporations are not required to perform any act or make any public improvement, to entitle them to issue notes and receive interest on their money. They make no bridges, roads, or canals, in which their property would become invested and in which it would be sunk, were the legislature to deprive them of banking powers. The only benefit expected from them is merely a collateral one, which may be produced from them, or may not. If the state expects anything, it is that they will afford more capital for trade, and a circulating medium to the country. But neither these, nor any other public services are required of them as a condition on which they shall exercise banking powers. To confer the power of banking is, therefore, the naked restoration of a natural right. Shall it be said that this right when restored to a few, is more sacred than when it originally belonged to the whole community? Shall it be said, that the legislature could take this right from the whole people when the public good required it, and that they cannot now take it from a privileged few? Is it more sacred when restored by this legislature than when it was originally granted by the God of nature?

Should we now make a law allowing every company and individual in this commonwealth the right of banking, would we not have the power to repeal such a law at any time when we might think proper? Could we not do it upon the same ground that we originally took this right from the whole people when the public good required it?

If we could take this right thus restored, from the whole community, surely it will not be contended, that we cannot take it from a few individuals. In this view, the argument that the limitation of the exercise of the right for 20 years is proof of a contract, is placed in its proper light. If the legislature can contract with a corporation or individual, that they shall exercise the powers of banking for twenty years, they can make such contract with every individual; and if they can make a contract for twenty years, they can make it forever.

A legislative grant of the power of banking might, therefore, be made to every individual in the community without limitation; which, on the doctrine contended for by gentlemen could never be revoked; although it would evidently be nothing more than restoring them to a natural right, of which they had been deprived by law. Thus the legislature, by taking away the right & restoring it again, would lose their right of restricting banking forever. But such absurdities cannot be consistent with our constitution—such a construction of that instrument never will be tolerated by an intelligent people.

The effect of a bank charter, as it is called, is nothing more than a repeal of the laws against banking, so far as it respects the individuals concerned, limited to twenty years. During that twenty years, their right to bank rests on precisely the same ground as if no law had ever been passed on the subject, unless the legislature should again interfere, modify, or take away the restored right.

BOSTON, JAR. 15.

We have seen a specimen of a part of the plates executed by the ingenious Mr. Jacob Perkins, of Massachusetts, in London, for the notes of the bank of England. The general beauty of the work

Nashville Female Academy.

THE Sixth session of the Nashville Female Academy commenced on Monday the 17th instant—the Reverend William Hume, superintendent, Miss Payson principal instructor, aided by Miss Perrington, Miss Childs, Miss Sterns and Miss Carle.

The Trustees have the pleasure to state, that at no time since the establishment of the Seminary, have its advantages been so great, or its prospects so flattering. The proficiency of the pupils is the best test of the teachers ability: the most satisfactory evidence in this respect was furnished at the last examination. Nor was it their correct tuition alone, for which the teachers of the last session deserve the thanks of the Trustees and of the public: the good order and discipline which marked its progress were no less beneficial in their effects;—no less creditable to those from whom they emanated, and by whom they were maintained.

Near the close of the last session the trustees were so fortunate as to procure the services of the Reverend Mr. Hume in the capacity of superintendent. The institution has also been greatly benefited by the acquisition of Miss Perrington, of Boston, Massachusetts; who commenced her duties with the present session.

The experience and accomplishments of the instructresses, the piety and learning of the superintendent, cannot fail to secure the confidence of parents and guardians.

The following branches will be taught:—Reading, Writing, English Grammar, Arithmetic, Composition, History, Geography, Ancient and Modern with the use of the Globes, Rhetorick, Logic, Moral Philosophy, Natural Philosophy, Chemistry, Astronomy, Botany and Mythology, Plain Sewing, Filigree, and all kinds of ornamental Needle Work, Embroidery, Tambouring, Rug work, &c. &c. Drawing and Painting, in their various branches. Flowers, Fruits, Figures, Perspective, Paintings on Velvet, Satin and Wood; and in imitation of Ivory and Bronze. To these Music will be added as soon as a suitable teacher of Music can be procured.

The trustees have already resolved that as testimonials of their literary merit and pretensions, they will give Diplomas to such Young Ladies as shall complete the prescribed course of studies.

The new wing of the Academy is finished. 300 pupils can now be accommodated. The additional room by this attained, will enable the trustees to receive more students than have yet attend.

The Reverend Mr. Harrison and Lady continue to have the charge of the Stewards-House. From their qualifications, and exertions to accommodate it, is confidently believed that they will give satisfaction.

The Stewards-House is more than ever inspected by the trustees. The Young Ladies who board there are immediately under the eye of the teachers, subject to particular regulations prescribed for their government. (A copy) Attest,

JOHN P. ERWIN, Sec'y.

Nashville, Jan. 26, 1820—6

The Editors of the Knoxville Register, Murfreesborough Courier, Kentucky Gazette, Lexington, Russellville Messenger, Ky. and Shelbyville Herald, Ten will give the above insertion, and forward their accounts to this office for payment.

To Parents.

A

YOUNG Gentleman wants a situation as a TUTOR in a private family who is capable of teaching Reading, Writing, Geography, Arithmetic, Grammar, History &c. A situation in the country in the family of a legal gentleman, where he could have access to a Library, and receive for his services (in part) legal instruction, would be preferred. He would not however, have any objection to teaching a school in the country. Unquestionable credentials to satisfactorily prove his capacity and his character will be produced. Apply to the printers.

Feb. 3d, 1820—6 3t

20 Dollars Reward.

BROKE out of my enclosure in Lexington, on Monday the 2

Poetry.



We give publicity to the following lines, with a hope that the sentiments expressed by the writer may be realized:

DEVEREUX'S LEGION.*

ON THE PATRIOT'S SONG OF LIBERTY.
Are—"Scots who ha'e w' Wallace bled."

Hark, the clang of War's alarms!

Glory's cause each bosom warms;

Freedom's sons to arms! to arms!

Death or Liberty!

Flow the blood of patriot ire

Through your veins like floods of fire!

Liberty your hearts inspire!

Glorious Liberty!

Proud oppression idly raves;

Low the Tyrant's banner waves;

Ferdinand's embattled slaves

Shrink at Liberty!

Freedom dare the field;

Valour is the Freeman's shield;

Freedom's sons will never yield;

Death or Liberty.

Ne'er in vain the Patriot bleeds;

Monuments record his deeds;

Devereux his legion leads,

Shouting—Liberty!

Ringing to the vaulted sky,

Hark the soul-inspiring cry!

"Glorious death or Liberty!"

Patrons, on with me!

* Devereux's Legion, a body of veterans forming in England to aid the Spanish patriots.

30 Dollars Reward.

RAN AWAY from the subscriber, living in Fayette county, 3 miles from the mouth of Jack's Creek, a NEGRO MAN named KIT—he is about 5 feet 7 inches high, 22 years of age, dark complexion, lame in his left ankle, of a low speech, proud carriage; has a wife in Winchester at Mr. D. Taliuferro's. He can write his own pass. Thirty Dollars reward will be given for said Negro if taken out of the state, and secured so that I get him, or Ten Dollars if apprehended in the state.

THOMAS BARNES.

February 4th, 1820—5th

Dancing School.

MR. DARRAC.

RESPECTFULLY informs those young Gentlemen who may feel desirous of learning the polite art of Dancing, that an EVENING SCHOOL will be opened expressly for their convenience, on Tuesday and Friday nights, from 6 until 9 o'clock, in each week. Application to be made to Mr. Darrac.

3rd January 21, 1820.

Take Notice,

THAT on the 28th day of February next, at the Court-house in Lexington, I shall take the depositions of Gen. Thomas Bradley, Gen. James Taylor and Capt. Thomas Young; and on the first day of March next, and also on the second Saturday in March next, at the Court-house in Washington, I shall take the depositions of Gen. Henry Lee, David Blanchard, William Beckley, and Peter Lee, as evidence in the suit in chancery, depending in the Mason Circuit Court, in which I am complainant and you are defendants.

JOHN FOWLER.

January 28th, 1820.—4th

50 Dollars Reward.

STOLEN from the subscriber, at the mouth of Hickman, on the Kentucky river, on Thursday night the 6th inst. a

Large Dark Bay HORSE,

Ten years old, 16 hands high, shod all round, trots and paces, one hind foot white, a small star in the forehead, the top of his head rubbed with the bridle, remarkable heavy made and tolerable high carriage.

Also, a Bay MARE.

About the same color, with a small star in her forehead, natural trotter, eight years old, rubbed with the harness very much. Any person apprehending and delivering the thief and horses to the subscriber near Georgetown Ky., or securing them so that I can get them, shall receive the above reward, or twenty-five dollars for the horses and all reasonable charges paid.

JOHN L. JOHNSON.

January 15, 1820—3rd

To all whom it may Concern!!

ALL those having claims of any description against the subscriber, will please present them immediately, as he intends starting to the Missouri territory between this and the 15th of next month. He may be found at his Father's, Joseph Evans, near Flemingsburg, Ky.

JOHN T. EVANS.

January 20, 1820—3rd

TAKEN up in Fayette county, by Samuel E. Taul, on Marble creek, one SORREL MARE, about 14¹/₂ hands high, supposed to be eight years old, with a star in the forehead, appraised to \$30; this 5th day of October, 1819.

A. YOUNG.

Woodford county, Set:

TAKEN up by William Powell of said county, living near Mortonville, a DARK BAY FILLY, supposed to be two years old next spring, with a white hair in her forehead, no brands perceptible—appraised to \$10 before me this 20th November, 1819.

J. DAVIDSON, j.p.w.c.

Blank Checks.

JUST printed and for sale at the office of the Kentucky Gazette, CHECKS on the Farmers and Mechanics Bank of Lexington, in books, or by the quire. Also, checks on the United States Branch and the Lexington Branch Banks.

May 29th

Malt Liquors.

GEORGE WOOD, has now for sale, at the LEXINGTON NEW BREWERY,
Porter and Beer,

And will in a short time, have PALE BEER ready for market, all brewed in the most celebrated London mode, as taught him by Richard Flowers, esq. of Albion, Illinois,* during his stay at this place.

Draft Porter, \$8 per barrel

Bottled do. 12 per dozen

Beer 7 per barrel

Do. 3½ per half barrel

Do. 75 cents per half of 5½ gallons delivered at the Brewery.

Pale Ale, 9 per barrel

Do. 2 per dozen.

The Jars will be found well adapted for small families, they are constructed so as to draw off the liquor with a crane.

CASH will be paid for BARLEY at the highest price.

Mr. Flowers acquired his knowledge of Brewing, at Whitbread's Brewery, London, and was afterwards long extensively engaged in the trade.

Lexington New Brewery, Dec. 27—53rd

(P)UBLIC NOTICE.

The Subscribers have determined to decline selling BOOKS and STATIONARY on CREDIT in future. To avoid the sacrifice of feeling which will be made by a personal refusal, they confidently trust that no person will make application for credit after the appearance of this advertisement. Were it necessary to assign a reason for adopting this measure, they would state, that the extensive credits which they have heretofore given, and the great want of punctuality on the part of those credited, have already involved them in considerable difficulties. They have but two alternatives, either to decline crediting, or to give up business.

James W. Palmer,
Wm. W. Worsley.

Lexington, Ky. December 28, 1819—53

Public Notice.

The subscriber will give for HOGS, delivered either gross or neat, at Lexington, on the Kentucky river, a liberal price. He will give 50 Cents per Bushel for WHIFAT—40 Cents per Gallon for WHISKEY; and One Dollar per Bushel for PEAS or BEANS, delivered at the above place.

JAMES JOHNSON.

Great Crossings, Dec. 1819—49th

Asa Blanchard,

REPAIRS WATCHES and CLOCKS of every description in the best manner. He keeps constant on hand, a large assortment of the best.

Silver Ware, Watches & Jewelry, Steel Chains & Keys, Patent Time Pieces,

Also, Masonic Breastpins,

Made in the strongest and neatest manner. All of which will be sold as low as any in the state, of the same quality. Opposite the Ky. Branch Bank of Lexington.

September 9—37th

Kentucky, Jessamine Circuit, Set.

OCTOBER TERM, 1819.

Peter Smith and Elizabeth his wife, late Elizabeth Shanks, and Wm. Shanks—Compl.

Against,

Magdaline Shanks, John Shanks, Solomon Hornback and Mary his wife, late Mary Shanks, Rowland Hughes & Jane his wife, late Jane Shanks, Robert Shanks, Celia Shanks, Hannah Shanks, Catharine Shanks and George Shanks—Defendants.

IN CHANCERY

Magdaline Shanks, guardian and mother of Celia Shanks, Hannah Shanks, Catharine Shanks, and George Shanks, infants and heirs of Robt. Shanks, dec'd.—Petitioners.

Against,

Peter Smith and Elizabeth his wife, late Elizabeth Shanks, Solomon Hornback and Mary his wife, late Mary Shanks, Rowland Hughes & Jane his wife, late Jane Shanks, Robert Shanks, Celia Shanks, and George Shanks—Defendants.

FOR PETITION FOR SALE OF A PART OF THE REAL ESTATE OF ROBT. SHANKLIN, dec'd.

THIS day came the complainants and petitioners by their attorney, and the defendants, Rowland Hughes and Jane his wife, not having entered their appearance herein agreeably to law and the rules of this court, and it appearing to the satisfaction of the court, that they are not inhabitants of this commonwealth: On motion of the complainants by their attorney, it is considered by the court, that unless the said absent defendants do appear here on or before the first day of the next April term of this court, and answer the complaint's bills, the same shall be taken as confessed against them. And it is further ordered, that a copy of this order be inserted in some authorized newspaper of this commonwealth: To wit, that the said absent defendants do appear here on or before the first day of the next March term, and answer the complaint's bills herein, which is ordered to be filed; and it appearing to the court, that the defendant, Mary Johnson, is not an inhabitant of this commonwealth, and no having entered her appearance herein agreeably to law and the rules of this court: it is therefore ordered, that unless the said defendant do appear here on or before the first day of our next March term, and answer the complaint's bill herein, the same will be taken for confessed. And it is further ordered, that a copy of this order be inserted in some authorized newspaper printed in this state for two months successively.

A copy Teste,
JOHN MARTIN, Jr. d.c.c.c.

[4a13 S. H.]

Clarke Circuit, Set:

JANUARY SPECIAL CHANCERY TERM, 1820.

Jailey Downey, Complainant,

Against,

Leroy Cole &c. Defendants,

IN CHANCERY

THE defendant, Leroy Cole, by his attorney this day produced his answer and cross-bill herein, which is ordered to be filed; and it appearing to the court, that the defendant, Mary Johnson, is not an inhabitant of this commonwealth, and no having entered her appearance herein agreeably to law and the rules of this court: it is therefore ordered, that unless the said defendant do appear here on or before the first day of our next March term, and answer the complaint's bill herein, the same will be taken for confessed. And it is further ordered, that a copy of this order be inserted in some authorized newspaper of this state for two months successively.

A copy Teste,
JOHN MARTIN, Jr. d.c.c.c.

[4a13 S. H.]

Clarke Circuit, Set:

JANUARY SPECIAL CHANCERY TERM, 1820.

Robert Kincaid, Complainant,

Against,

Garland Overton, Defendant,

IN CHANCERY

ON the motion of the complainant aforesaid, by his counsel, and it appearing to the court, that the defendant is not an inhabitant of this commonwealth, and no having entered his appearance herein agreeably to law and the rules of this court: it is therefore ordered, that unless the said defendant do appear here on or before the first day of our next March term, and answer the complaint's bill herein, the same will be taken for confessed. And it is further ordered, that a copy of this order be inserted in some authorized newspaper printed in this state for two months successively.

A copy Teste,
JOHN MARTIN, Jr. d.c.c.c.

[4a13 S. H.]

BLANK DEEDS,

FOR SALE AT THIS OFFICE.

Lexington, Ky. December 24, 1819—52nd

Replevin Bonds,

FOR SALE AT THIS OFFICE.

Lexington, Ky. December 24, 1819—52nd

ALMANACKS,

FOR SALE at the GAZETTE OFFICE.

Lexington, Ky. December 24, 1819—52nd

PRICE 25 CENTS.

Lexington Brass, Iron & Bell



CONTINUES to carry on the FOUNDERING BUSINESS, in the town of Lexington, second door below the Theatre, Water street, where all kinds of

Brass and Iron Work for Machinery &c.

TRADE UNDER THE FIRM OF

Postlethwait, Brand & Co.

Fayette Cotton Factory, Sept. 20, 1819.

N. R. VARS are deposited at the Stores of

E. WARFIELD, and TILFORD, TROTTER & CO. Lexington, and for sale at reduced prices, where orders being left will be promptly attended to.

P. B. & Co.

THE HIGHEST PRICE CASH IN HAND,